

08/03/01



JC971 U.S. PTO  
09/922555

08-06-01

A/RE

Practitioner's Docket No. 2507/101

PATENT

JC971 U.S. PTO  
09/922555



08/03/01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: August 3, 2001

Commissioner for Patents  
Washington, D.C. 20231

REISSUE APPLICATION TRANSMITTAL

Transmitted herewith is the application for reissue of U.S. Utility Patent No. 5,954,671 issued on September 21, 1999.

Inventor: Michael J. O'Neill

Title: Bone Harvesting Method and Apparatus

Enclosed are the following:

1. Specification, claim(s) and drawing(s) (37 C.F.R. Section 1.173)
  - (a) 4 pages of specification
  - 10 pages of claims

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10\*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this Reissue Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date August 3, 2001, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL915238082US, addressed to the: Commissioner for Patents, Washington, D.C. 20231.

Keith J. Wood

(type or print name of person mailing paper)

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. Section 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

1 page of abstract

- (b) No changes in the drawings, upon which the original patent was issued, are to be made. Therefore, in accordance with 37 C.F.R. Section 1.174(a), please find attached, in the size required for original drawings a copy of the printed drawings of the patent.

2. Declaration and power of attorney

3 pages of declaration and power of attorney

3. Offer to surrender the original letters patent in accordance with 37 C.F.R. Section 1.178 is attached.

Offer to surrender is by the inventor along with assent of assignee.

4. Basic Filing Fee Calculation (37 C.F.R. Section 1.16(h), (i) and (j))

CLAIMS AS FILED			
Number Filed	Number Extra	Rate	Basic Fee (37 C.F.R. 1.16(h)) \$710.00
59	24	X \$18.00	\$432.00
Total Claims (37 C.F.R. 1.16(j))			
11	9	X \$80.00	\$720.00
Independent Claims (37 C.F.R. 1.16(i))			
Filing Fee Calculation			\$1,862.00

5. Small Entity Status

A statement that this filing is by a small entity is not attached

Filing Fee Calculation (50% of above) \$931.00

6. Total Fees Due

Filing Fee \$931.00

**Total Fees Due**

**\$931.00**

**7. Method Of Payment of Fees**

Charge Account No. 02101 in the amount of \$931.00.

A duplicate of this request is attached.

**8. Authorization To Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 02101:

- \* 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)
- \* 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)
- \* 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- \* 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a))
- \* 37 C.F.R. Section 1.17 (application processing fees)

**9. Additional Enclosures**

Unexecuted Offer to Surrender by Assignee; unexecuted Reissue Application Declaration and Power of Attorney by Inventor; unexecuted Assent by Assignee for Filing of Reissue Application; and Statement Regarding Support in Disclosure

Date: August 3, 2001



Keith J. Wood  
Registration No. 45,235  
Bromberg & Sunstein LLP  
125 Summer Street  
Boston, MA 02110  
USA  
617-443-9292  
Customer No. 002101

REISSUE APPLICATION BY ASSIGNEE, OFFER TO SURRENDER  
(37 C.F.R. section 1.178)

To the Assistant Commissioner for Patents:

The undersigned makes this statement as part of the accompanying reissue application for the reissue of letters patent number 5,954,671, for an improvement in *Bone Harvesting Method and Apparatus*, granted on September 21, 1999, to Michael J. O'Neill and declares that it is now owner by assignment of the entire interest in said original patent and hereby offers to surrender said letters patent.

STATEMENT BY ASSIGNEE

Attached is a "STATEMENT UNDER 37 C.F.R. section 3.73(b)," establishing the right of the assignee to take action in this reissue.

CERTIFICATION UNDER 37 C.F.R. section 1.10\*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this Reissue Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date \_\_\_\_\_, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number \_\_\_\_\_, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

\_\_\_\_\_  
(type or print name of person mailing paper)

\_\_\_\_\_  
Signature of person mailing paper

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Paradigm BioDevices, Inc.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

Michael J. O'Neill  
President and CEO

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